

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.9947 of 2016**

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Amit Kumar Mishra son of Suresh Kumar Mishra Resident of Village & P.O.-  
Sonbarasha, P.S.- Sahpur, District- Bhojpur.

.... .... Petitioner

Versus

1. The State of Bihar
2. The Director, Panchayati Raj Department, Government of Bihar, Patna.
3. The Officer on Special Duty, Panchayati Raj Department, Government of Bihar, Patna.
4. The District Magistrate cum Collector, Bhojpur, Ara.
5. The Deputy Development Commissioner, Bhojpur, Ara.
6. The Sub Divisional Officer, Jagdishpur.
7. The Block Development Officer, Jagdishpur.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Gopal Govind Mishra, Advocate

For the Respondents : Mr. AC to AAG 10

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
ORAL JUDGMENT

**Date: 10-11-2016**

Petitioner was engaged on contract basis on a fixed remuneration to work on the post of Data Entry Operator. He was trained by what is known as BELTRON, a State Government Corporation and sent to work in the office of the Block Development Officer, Jagdishpur in the district of Bhojpur.

There are two reasons for him to file the writ application. One is that there should be a direction for his continuance and second that his remuneration for certain period has not been paid.

In the counter affidavit filed on behalf of the respondents, they have categorically stated that the payment to the

petitioner has been made by cheque dated 05.09.2016 and this relates to the period February, 2015 to May, 2015. So far as the continuance of the petitioner on the post of Data Entry Operator is concerned, the statement in paragraph 10 of the counter affidavit is that the hiring of the petitioner on contract was part of a scheme initiated by the Central Government for which grants were being released. The moment the scheme came to an end coupled with the object and purpose of such engagement coming to an end, the contract was terminated.

Since the petitioner does not have a substantive right to continue since his engagement was not on substantive post, first part of the relief for continuance cannot be granted to him. As the remuneration already stands paid, nothing more is required to be done or decided in the writ application.

The writ application is accordingly dismissed.

**(Ajay Kumar Tripathi, J)**

Pawan/-

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